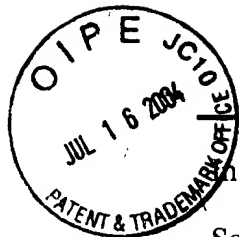


07-19-04 IFW 16324
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the application of: Hermann Bujard *et al.*

Serial No.: 09/874,389

Filed: June 4, 2001

For: *TRANSGENIC ORGANISMS HAVING
TETRACYCLINE-REGULATED TRANSCRIPTIONAL
REGULATORY SYSTEMS*

Attorney Docket No.: TTV-009C3CN2

Group Art Unit: 1632

Examiner: R. Shukla

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: July 16, 2004

Mailing Label Number: EL 982742956 US

I hereby certify that this 37 CFR 1.53(d) request and the documents referred to therein as enclosed are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to MS Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

DeAnn F. Smith, Esq.

Name of Person Mailing Paper

Signature of Person Mailing Paper

AMENDMENT AND RESPONSE

Dear Sir:

This is a response to the non-final Office Action mailed from the Patent Office on January 16, 2004 (Paper No. 12312003). A separate petition for the appropriate extension of time to respond is being filed concurrently herewith. Amendments to the claims are reflected in the listing of claims which begins on page 2 of this Amendment and Response. Remarks/ Arguments begin on page 9 of this paper. Please amend the above-referenced application as follows:

07/20/2004 EABUBAK1 00000036 120080 09874389

01 FC:1201 344.00 DA
02 FC:1202 252.00 DA